

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

BOBBY S. McGOVERN

PLAINTIFF

V.

Civil Action No. 3:07-CV-00177 HTW-LRA

WILLIAM K. HIPPI AND EMERSON ELECTRIC CO.

DEFENDANTS

EMERSON ELECTRIC CO.

COUNTER-CLAIMANT

V.

BOBBY S. McGOVERN

COUNTER-DEFENDANT

AGREED ORDER OF DISMISSAL WITH PREJUDICE

Plaintiff Bobby S. McGovern ("Plaintiff") and Defendants William K. Hipp and Emerson Electric Co. ("Defendants") have agreed to dismissal of all claims and counterclaims *with prejudice*, with the parties to bear their respective attorney fees, expenses and costs. The Court, having considered the premises, finds that dismissal is appropriate and should be granted.

NOW, THEREFORE, IT IS ORDERED that all claims and counterclaims (whether asserted or amenable to assertion) are dismissed *with prejudice*, with the parties to bear their respective attorney fees, expenses and costs.

SO ORDERED, THIS, the 26th day of September, 2008.

s/ HENRY T. WINGATE
CHIEF UNITED STATES DISTRICT JUDGE

AGREED BY:

Crymes M. Pittman

Crymes M. Pittman
Attorney for Plaintiff

J. Cal Mayo, Jr.

J. Cal Mayo, Jr.
Attorney for Defendants and
Counter-Claimant

Paul T. Lee, Jr.

Paul T. Lee, Jr.
Attorney for Counter-Defendant